

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: To be assigned § Docket No.: P02186US0 5/22/02
Filed: May 10, 2001 §
Applicant: Errington, J. § Group Unit: Not yet assigned
Title: *Bacillus* Strain and § Examiner: Not yet assigned
Assay Method §

Box Patent Application
Assistant Commissioner for Patents
Washington D. C. 20231

PRELIMINARY AMENDMENT

Dear Sir:

Applicants respectfully request that a Preliminary Amendment for the above-identified Application be entered as contained herein.

In the claims:

In this patent application, please consider under prosecution claims 1-19 wherein amended claims 10-12 and 15-19 are entered as follows:

10. (Amended) A method of assessing an agent for antibiotic activity comprising the steps of:

- a) incubating the micro-organism of claim 1 in the presence of the agent; and
- b) observing expression of the reporter gene or genes.

11. (Amended) The method of claim 10, wherein the micro-organism is a *Bacillus* strain as defined in claim 4 and is induced to sporulate in the presence of the agent.